

REMARKS

Upon entry of this supplemental reply, all pending claims have been canceled without prejudice or disclaimer, and new claims 23 and 24 have been added as previously proposed in the reply after final except both claims now recite, consistent with the specification as filed, a PPAR γ agonist-like substance. Accordingly, no new matter has been introduced by this proposed amendment.

The Advisory Action mailed January 12, 2009, indicated that the proposed amendments would not be entered at least because they would not place the application in condition for allowance and because proposed new claims 23 and 24 contained terms different than those in the specification as originally filed. In a telephone conference conducted on February 6, 2009, with Examiner Stockton, the undersigned inquired whether claims 23 and 24 would be considered allowable if amended to retain the language in the specification. Subject to further review, Examiner Stockton indicated that claims 23 and 24, if amended as suggested, would be considered allowable.

Accordingly, this supplemental amendment has been filed to expedite prosecution of this application by limiting the claims to those that the Examiner considered to be allowable.

Prompt and favorable reconsideration of this application is requested, and the timely issuance of a Notice of Allowance.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: February 23, 2009

By: Charles E. Van Horn
Charles E. Van Horn
Reg. No. 40,266